

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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MARSHELLE HIGHTOWER,

Plaintiff,

No. 1:17-cv-08025

v.

INGERMAN MANAGEMENT  
COMPANY, *et al.*,

**ORDER**

Defendants.

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**O'HEARN, District Judge.**

**THIS MATTER** comes before the Court on the Motion for Attorney's Fees and Costs filed by Plaintiff, Marshelle Hightower ("Plaintiff") (ECF No. 381). Defendant filed opposition (ECF No. 386) and Plaintiff filed a reply (ECF No. 389). The Court heard argument on the Motion pursuant to Local Civil Rule 78.1 on October 20, 2022. For the reasons set forth on the record during that hearing,

**IT IS HEREBY** on this 24th day of October, 2022,

**ORDERED** that Plaintiff's Motion for Attorney's Fees and Costs is **GRANTED IN PART and DENITED IN PART**;

**ORDERED** that Laura C. Mattiacci, Esquire's rate is \$700.00 per hour;

**ORDERED** that Stephen G. Console, Esquire's rate is \$700.00 per hour;

**ORDERED** that Caren N. Germankin, Esquire's rate \$500.00 per hour;

**ORDERED** that any billing entry by Laura C. Mattiacci, Esquire relating to research shall be reduced to the lowest attorney hourly rate;

**ORDERED** that any billing entry relating to attendance at a Court ordered routine discovery and/or scheduling conference, as described on the record, shall be reduced to one attorney only;

**ORDERED** that any billing entry relating to mock openings and/or closings shall be reduced to the three (3) most senior billing attorneys' rate;

**ORDERED** that any billing entry relating to appearance at trial shall be reduced to Laura C. Mattiacci, Esquire and Caren N. Gurmankin, Esquire only;

**ORDERED** that billing entries relating to Defendants' Motion to Dismiss (ECF No. 52) and/or the hearing related to the spoliation of evidence shall be excluded;

**ORDERED** that billing entries relating to administrative tasks dated 10/29/18, 10/30/18 and 4/1/22 on Defendants' Exhibit A1, shall be excluded;

**ORDERED** that a decision on Defendants' objections to billing entries on grounds they are "block billed", as set forth in Defendants' Exhibit A4, is reserved and a ruling will be issued forthwith;

**ORDERED** that a decision Defendants' objections to billing entries as vague and undefined, as set forth in Defendants' Exhibit A6, is reserved and a ruling will be issued forthwith;

**ORDERED** that Defendants' objections as to billing entries relating to travel outside the forum are **DENIED**;

**ORDERED** that a decision on Plaintiff's request for an enhancement is reserved and a ruling will be issued forthwith;

**ORDERED** that counsel shall confer on the submission of a revised proposed Order which reflects the rulings contained herein and on the record on October 20, 2022, and shall file a joint proposed order as to the award of attorney's fees and costs and, if agreement cannot be reached

thereon, a letter summarizing the remaining disputes within fourteen (14) days of this Order.



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**CHRISTINE P. O'HEARN**  
**United States District Judge**